

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

South Carolina Electric & Gas Company,

Plaintiff,

v.

Swain E. Whitfield, in his official capacity as Chairman of the South Carolina Public Service Commission; Comer H. Randall, in his official capacity as Commissioner of the South Carolina Public Service Commission; John E. Howard, in his official capacity as Commissioner of the South Carolina Public Service Commission; Elliott F. Elam, Jr., in his official capacity as Commissioner of the South Carolina Public Service Commission; Elizabeth B. Fleming, in her official capacity as Commissioner of the South Carolina Public Service Commission; Robert T. Bockman, in his official capacity as Commissioner of the South Carolina Public Service Commission; and G. O'Neal Hamilton, in his official capacity as Commissioner of the South Carolina Public Service Commission.

Defendants.

Civil Action No. 3:18-cv-1795-JMC

ANSWERS TO LOCAL CIVIL RULE 26.01 INTERROGATORIES

Plaintiff South Carolina Electric & Gas Company ("SCE&G") answers Local Civil Rule 26.01 Interrogatories as follows:

(A) State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER:

There are none known to SCE&G at this time.

(B) As to each claim, state whether it should be tried jury or non-jury and why.

ANSWER:

SCE&G has not demanded a jury trial.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER:

SCE&G is not a publicly owned company. SCE&G is a direct subsidiary of SCANA Corporation, a publicly owned company. SCANA Corporation owns 100% of the common stock of SCE&G. SCE&G does not own 10% or more of the outstanding stock of any publicly traded company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER:

This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1343(a)(3) because SCE&G is suing defendants pursuant to 28 U.S.C. § 1983 for violations of its rights under the Due Process Clause of the Fourteenth Amendment to the United States Constitution; the Bill of Attainder Clause of Article 1, § 10 of the United States Constitution; and the Takings Clause of the Fifth and Fourteenth Amendments to the United States Constitution.

Venue in the District of South Carolina is appropriate under 28 U.S.C. § 1391(b).

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER:

No.

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER:

Not applicable.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER:

At this time, SCE&G is not aware of any other persons or entities that may be liable to it in this matter.

Respectfully submitted,

s/ Steven J. Pugh

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ATTORNEYS FOR SOUTH CAROLINA
ELECTRIC & GAS COMPANY

June 29, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2018, I caused a true and correct copy of the foregoing to be filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing and make same available to all attorneys of record.

s/ Steven J. Pugh
Steven J. Pugh (Fed ID No. 7033)